



Docket No.: 247683US2

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



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RE: Application Serial No.: 10/757,390

Applicants: Kenichi ONO

Filing Date: January 15, 2004

For: SEMICONDUCTOR LASER DRIVE APPARATUS,
OPTICAL WRITE APPARATUS, IMAGING
APPARATUS, AND SEMICONDUCTOR LASER
DRIVE METHOD

Group Art Unit: 2821

Examiner: VU, JIMMY T.

SIR:

Attached hereto for filing are the following papers:

Election Response

Our credit card payment form in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 247683US2



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
KENICHI ONO : EXAMINER: VU, JIMMY T
SERIAL NO: 10/757,390 :
FILED: JANUARY 15, 2004 : GROUP ART UNIT: 2821
FOR: SEMICONDUCTOR LASER DRIVE :
APPARATUS, OPTICAL WRITE
APPARATUS, IMAGING APPARATUS,
AND SEMICONDUCTOR LASER DRIVE
METHOD

ELECTION RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election requirement of June 16, 2006, Applicant elects Group I, Claims 1-49, drawn to a semiconductor laser drive apparatus, an optical wire apparatus and an imaging apparatus, classified in class 372, subclass 38.02+, and sub-Group 1, Claims 1-37, drawn to a semiconductor laser drive, classified in class 372, subclass 38.02, for further examination on the merits. Applicant reserves the right to file one or more divisional applications directed to the non-elected invention.

Applicant traverses the outstanding election requirement on the grounds that it has not been established that it be an undue burden to examine each of the noted inventions and claims together.

Under M.P.E.P. § 803, an election requirement is not proper if a search and examination can be made without a serious burden on the Examiner, and the outstanding

election requirement has not established that examining each of the currently-pending claims together would result in an undue burden.

M.P.E.P. § 803 specifically states:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

The outstanding election requirement has not established that each of the claims could not be examined without an undue burden, and thus each of the noted inventions and claims should be examined on their merits.


Respectfully submitted,

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